

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
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Scott William Middleton et al.) Examiner: Braden, Shawn M.
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Serial No.: 10/501,179) Confirmation No. 7859
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Filed: July 9, 2004) Art Unit: 3727

For: **CONTAINER HAVING A RIM OR OTHER FEATURE ENCAPSULATED BY
OR FORMED FROM INJECTION-MOLDED MATERIAL**

AMENDMENT A AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated August 28, 2006, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks begin on page 8 of this paper.

Conclusion begins on page 8 of this paper.

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being electronically transmitted to the US Patent and Trademark Office to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

September 28, 2006

Date

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Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

1. (currently amended) A ~~container~~tray having an encapsulated rim, the ~~container~~tray comprising
 - at least one sidewall having a top edge;
 - a bottom surface adjacent to the sidewall;
 - a formed corner disposed along the sidewall, the formed corner having a top edge;
 - a unitary flange extending outward from the top edge both the sidewall and formed corner, the flange being formed in a manner corresponding to the formed corner; and
 - an encapsulated rim having a profile encapsulating the flange.
2. (original) The tray of claim 1, wherein the encapsulated rim is made of plastic.
3. (original) The tray of claim 2, wherein the plastic is chosen from the group of polyolefin, nylon, and polyester.
4. (original) The tray of claim 1, wherein the encapsulated rim creates a hermetic seal with the flange.
5. (original) The tray of claim 3, wherein the encapsulated rim is injection molded around the flange.
6. (original) The tray of claim 4, further comprising a film removably sealed to the encapsulated rim.

7. (original) The tray of claim 6, wherein the combination of the film and the encapsulated rim forms a hermetic seal.

8. (original) The tray of claim 7, wherein the film is a material chosen from the group consisting of plastic, paper, aluminum foil, and fiberboard.

9. (original) A tray having an encapsulated rim, the tray comprising at least one sidewall having a top edge; a bottom surface adjacent to the sidewall; a formed corner disposed along the sidewall, the formed corner having a top edge; a unitary flange extending outward from the top edge of both the sidewall and formed corner, the flange being pleated in a radius corresponding to the formed corner; and a substantially rigid encapsulated rim having a profile encapsulating the flange and reinforcing the rigidity of the tray.

10. (original) The tray of claim 9, wherein the substantially rigid encapsulated rim comprises injection-molded plastic.

11. (original) The tray of claim 9, wherein the tray is at least twenty inches in circumference.

12. (currently amended) The tray of claim 40 1, wherein the tray is formed of fiberboard capable of withstanding heat up to approximately four hundred degrees Fahrenheit; and the substantially rigid encapsulated rim retains its shape and rigidity in heat up to approximately four hundred twenty-five degrees Fahrenheit.

13. (original) The tray of claim 10, wherein the formed corner is crimped.

14. (original) The tray of claim 10, wherein the formed corner is pleated.
15. (original) The tray of claim 10, wherein the formed corner is made of overlapping layers of material.
16. (currently amended) The tray of claim 91, wherein the encapsulated rim comprises at least one handle.
17. (original) The tray of claim 16, wherein the at least one handle is hinged to allow the at least one handle to fold over the interior surface of the tray.
18. (currently amended) The tray of claim 91, further comprising an interior coating covering the bottom surface and the at least one sidewall.
19. (original) The tray of claim 18, further comprising an injection-molded interior divider situated atop the bottom surface and dividing the bottom surface into at least a first interior cavity and a second interior cavity.
20. (original) The tray of claim 19, further comprising
 - a first material located in the first interior cavity between the interior coating and the bottom surface, the first material being selected from the group comprising microwave transparent materials, microwave reflective materials, and microwave absorbing materials; and
 - a second material located in the second interior cavity between the interior coating and the bottom surface, the second material being selected from the group comprising microwave transparent materials, microwave reflective materials, and microwave absorbing materials.
21. (original) The tray of claim 20, wherein said first material has a first microwave interactive property, wherein said second material has a second microwave interactive property,

and wherein the first microwave interactive property is different from the second microwave interactive property.

22. (currently amended) The tray of claim 91, further comprising a waterproof injection-molded coating covering the interior and exterior of the tray.

23 – 59. Cancel.

60. (original) A container having an injection-molded feature, comprising:
a first blank;
a second blank;
a first injection-molded seam attaching said first blank to said second blank; and
a second injection-molded seam attaching a first sidewall of said first blank to a second sidewall of said first blank.

61. (original) The container of claim 60, wherein said first and second sidewalls oppose each other.

62. (original) The container of claim 61, wherein said container is cylindrical.

63. (original) The container of claim 62, wherein a bottom surface of said first seam extends downwardly past a bottom surface of said second blank.

64. (original) The container of claim 62, further comprising a third injection-molded seam running along a top edge of said first blank.

65. (original) The container of claim 64, wherein:
said third seam extends across at least a portion of an outer sidewall of said first blank; and

said third seam comprises a projection extending outwardly from said outer sidewall of said first blank.

66. (original) The container of claim 65, wherein said projection raises a portion of said container above a top surface of a second container, when said container is placed within said second container.

67. (original) A tray having an injection-molded feature, said tray comprising:
at least one sidewall having a top edge;
a bottom surface connected to the sidewall;
a unitary, encapsulated rim extending outwardly from the top edge of said sidewall; and
a lid at least partially folded over said encapsulated rim.

68. (original) The tray of claim 67, wherein said encapsulated rim is formed entirely from an injection-molded resin.

69. (original) The tray of claim 68, wherein said encapsulated rim comprises:
a paperboard layer; and
a resin layer affixed to said paperboard layer.

70. (original) The tray of claim 69, wherein said resin layer extends outwardly from a side edge of said paperboard layer.

71. (original) The tray of claim 70, wherein said lid folds over said resin layer.

72. (original) The tray of claim 71, wherein said lid and said resin layer form a hermetic seal.

73. (original) The tray of claim 71, wherein said lid and said resin layer are affixed to one another.

74. (original) The tray of claim 73, wherein said injection-molded feature is formed from a resin impregnated with glass fibers.

75. (original) The tray of claim 74, wherein said glass fibers minimize shrinkage of said resin.

76. (original) The tray of claim 75, wherein said resin shrinks in response to cooling.

77. (original) The tray of claim 74, wherein said glass fibers minimize distortion of said tray due to shrinkage of said resin.

REMARKS AND ELECTION

Claims 1-22 and 60-77 are pending. Claims 23-59 are canceled. Claims 1, 12, 16, 18 and 22 have been amended for reasons unrelated to the patentability of the claims. Applicants reserve the right to file a divisional application addressed to any non-elected embodiment.

In response to the restriction requirement, Applicants hereby elect, without traverse, the invention of Group II (claims 1-22 and 60-77) as identified by the Examiner in the Office Action dated August 28, 2006.

Further, Applicants elect species 23, as identified by the Examiner, as corresponding to Figs. 27-32 of the application. Claims 1-8, 12, 18 and 22 read on elected species 23.

It will be understood that this election is made without prejudice to the subject matter therein. Applicants reserve the right to file one or more continuing or divisional applications directed to the non-elected inventions, claims, species, or other subject matter.

CONCLUSION

Applicants request that the Examiner call the undersigned counsel if allowance of the claims can be facilitated by Examiner's Amendment, telephone interview, or otherwise.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Order Account No. 09-0528.

Respectfully submitted,

Date: 9/28/06



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